

# ORDINANCE C-39-97

## AN ORDINANCE TO AMEND CHAPTER 705 OF THE CODIFIED ORDINANCES OF GROVE CITY, OHIO, TITLED CHARITABLE SOLICITATIONS

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WHEREAS, based upon the opinion of the Director of Law, revisions to these Ordinances are needed to bring them into compliance with recent case law.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. Section 705.04, titled *Exemptions*, is hereby amended to read:

### 705.04 EXEMPTIONS.

This chapter shall not apply in cases of solicitations made:

- (a) ~~By any bona fide, publicly recognized evangelical missionary or religious organizations;~~
  - (b) ~~By any college, university or school accredited by a regional accrediting association such as the North Central Association of Colleges and Secondary Schools or approved by the State Department of Education or persons acting under the auspices of such colleges, universities or schools;~~
  - (e)(a) By any organization where the solicitation is made within the membership of the organization;
  - (d)(b) Any person requesting contributions for the relief of any individual or family, specified by name at the time of the solicitation, if all of the contributions collected, without any deductions whatsoever, are turned over to the named beneficiary;
  - (e) ~~Any person, when contemplated expenses of a fund solicitation will not exceed five hundred dollars (\$500.00) in any one year, provided that if expenses of such a fund solicitation exceed five hundred dollars (\$500.00), the information required by the provisions of Section 705.05 shall forthwith be filed.~~
- (Ord. C49-60. Passed 6-20-60; Ord. C14-85. Passed 3-4-85.)

SECTION 2. Section 705.05 (a), titled Permit Application, is hereby amended to read:

### 705.05 PERMIT APPLICATION.

- (a) The application herein required shall contain the following information or in lieu thereof, a detailed statement of the reason or reasons why such information cannot be furnished:
  - (1) The name, address or headquarters of the person applying for the permit;
  - (2) If applicant is not an individual, the names and addresses of the applicant's principal officers and managers and a copy of the resolution, if any, authorizing such solicitation, certified to as a true and correct copy of the original by the officer having charge of applicant's records;
  - (3) The purpose for which such solicitation is to be made, the total amount of funds proposed to be raised thereby, the use or disposition to be made of any receipts therefrom and provision made for the return of funds if the funds cannot be used for the purpose stated;
  - (4) A specific statement, supported by reasons and, if available, figures, showing the need for the contributions to be solicited;
  - (5) The name and address of the person or persons by whom the receipts of such solicitation shall be disbursed;

- (6) The name and address of the person or persons who will be in direct charge of conducting the solicitation and the names of all promoters connected or to be connected with the proposed solicitation;
- (7) An outline of the method or methods to be used in conducting the solicitations;
- (8) The time when such solicitations shall be made, giving the preferred dates for the beginning and ending of such solicitation;
- ~~(9) The estimated cost of the solicitation;~~
- (9) (10) The amount of any wages, fees, commissions, expenses or emoluments to be expended or paid to any person in connection with such solicitations and the names and addresses of all such persons;
- ~~(11) A financial statement for the last preceding fiscal year of any funds collected for charitable purposes by the applicant, giving the amount of money so raised, together with the cost of raising it and final distribution thereof;~~
- (10) (12) A full statement of the character and extent of the charitable work being done by the applicant within the City;
- ~~(13) A statement that not less than eighty percent of the amount raised shall go for the charitable purpose intended;~~
- (11) (14) A statement to the effect that if a permit is granted, it will not be used or represented in any way as an endorsement by the City or by any department or officer thereof;
- (12) Each applicant shall provide with his/her application, a copy of a currently valid ruling or determination letter recognizing the tax exempt status of the organization pursuant to the Internal Revenue Code Section 501(c)(3).
- (13) (15) Such other information as may be reasonably required by the Board in order for the Board to determine the kind and character of the proposed solicitation and whether such solicitation is in the interest of, and not inimical to, the public welfare.

SECTION 3. Section 705.06, titled Application Fee; Bond, is hereby amended to read:

705.06 APPLICATION FEE; BOND.

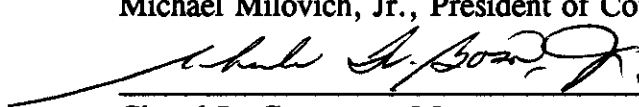
The application for a permit shall be accompanied by a fee of ten dollars (\$10.00) which shall be retained by the City whether the permit is granted or denied. ~~Accompanying the application the Board may require bond in the amount of two thousand dollars (\$2,000) for the benefit of any person who may sustain pecuniary loss by reason of any unauthorized practice by the permittee or one of his agents.~~ (Ord. C49-60. Passed 6-20-60.)

SECTION 4. This ordinance shall take effect at the earliest opportunity allowed by law.

Passed: 7-7-97  
Effective: 8-6-97

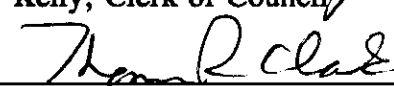
Attest:

  
Michael Milovich, Jr., President of Council

  
Cheryl L. Grossman, Mayor

  
Tami K. Kelly, Clerk of Council

I Certify that this ordinance is correct as to form.

  
Thomas Clark, Director of Law